

THIRTY DAYS MORE IN BUTLER-WEST END CASE

West End Interposes No Objection to the Interlocutory Order

HAY-PAUNCEFOTE TREATY IS NOT
AFFECTED BY ANY LEGISLATION
ON PANAMA COASTWISE TOLLS

(By Associated Press.)
WASHINGTON, April 13.—President Wilson's repeal of the Panama tolls exemption couldn't be regarded as an interpretation of the Hay-Pauncefote treaty, because it would be a legislative act. No amendment setting forth the rights of the United States is necessary, in his opinion. He took the same view as

Secretary Bryan, that by repealing the United States merely showed a disinclination to raise the question of discrimination, but didn't by the act limit any future policy of the government. He said the question in the senate was constantly improving and people asked to testify at the hearings are getting cold feet.

The president told his callers a salute would be fired to the American flag by Mexican federals at Tampico as an apology for the recent arrest of American marines. President Wilson spoke with confidence to callers and seemed to imply that his point will be insisted upon. He already approved Admiral Mayo's demand for the salute. Secretary Daniels said: "The salute will be fired."

EASTER SUNSHINE
BRINGS OUT FULL
CONGREGATIONS

WORSHIPERS FLOCK TO THE
CAPACITY OF THEIR RE-
SPECTIVE CHURCHES.

Yesterday was an ideal day for the Easter array of toilets and Tonopah was represented on the streets and in the churches with a display of the latest feminine adornment and masculine tailoring. The brilliant sunshine brought out scores who never think of going to church any other day of the year and the additional attraction of the visiting Knights Templar from Goldfield added to the regular Sunday feature.

The Presbyterian church was filled at the afternoon service conducted by the Rev. J. M. Swander and a beautiful programme of music was discoursed for the edification of the knights. The special train from Goldfield brought the contingent from the southern camp at about noon and all repaired to Masonic hall, where refreshments were served and visitors were greeted by a local committee. After the exercises at church the ladies were treated to a ride around camp in automobiles and the return trip was made at 5 o'clock.

At St. Patrick's church the high mass was attended to the capacity of the church, every seat being occupied and scores turned away. The altar was beautifully decorated with Easter lilies, callas, carnations, gladiolas and ferns. The choir excelled, although the absence of several soloists was noted by the pastor, who thanked the singers and musicians for their services and thanked the congregation for their evident appreciation of the festival and the spirit of the day.

In the evening special services were conducted at St. Mark's church by the pastor, Rev. Mr. Sanford, assisted by Miss Sanford.

THREE-YEAR-OLD BOY CUT
AND TORN BY ANGRY HOG

A most distressing accident occurred at the home of L. C. Ayers in the Harmon district, Tuesday evening. His little 3-year-old son climbed into the hog pen and was attacked by an old sow that had a litter of little pigs. The child was fearfully cut and torn and would no doubt have been killed had not the little sister given the alarm. Mrs. Ayers ran to the pen and reaching over pulled the child out.—Fallen Eagle.

PIONEER MERCHANT
SUCCEEDS TO APOPLEXY

Stephen Williams, 68 years of age, a pioneer merchant of Reno, died Friday morning at an early hour. He was troubled with asthma and rose at 3 o'clock in the morning when he was stricken with apoplexy, from which he died in a few hours.

Chicago Prepares
For Saloon Fight

(By Associated Press.)
CHICAGO, April 14.—Plans for a permanent organization of the wet-dry fight against 7000 Chicago saloons at the mayoralty election in the spring were presented at a meeting of delegates of religious and temperance organizations held this morning.

ESMERALDA
SCORES VICTORY
IN A FEE SUITCOURT OVERRULES DEMURRER
IN HAMILTON MANDAMUS
PROCEEDINGS.

In a written decision placed on file Saturday, Judge Mark R. Averill of the district court of Nye county yesterday overruled the demurrer of County Clerk Joseph Hamilton in the mandamus proceedings instituted by Esmeralda county to compel him to make a report of and turn over to it fees collected by him from Theron Stevens, as trustee of the Goldfield Township company, for taking acknowledgments to deeds from January 4, 1910, to January 1, 1913. The action of Judge Averill constitutes a sweeping victory for the petitioner, Esmeralda county.

In his demurrer, Hamilton set up the statute of limitations and maintained that mandamus proceedings were not the proper procedure in the case. He further claimed that he could not be compelled to make a report for a term of office that had expired. In overruling the demurrer, Judge Averill allowed Hamilton ten days to answer. Arguments on the demurrer were heard by Judge Averill, presiding in the local district court in the place of Judge Somers, about a month ago.

POWER OFFICIALS
VISITING TONOPAHPARTY INSPECTING LINES IN
NEVADA AND CALIFORNIA
ARRIVE HERE.

A party of officials of the Nevada California Power company arrived yesterday morning for the purpose of looking over the local field. After inspecting the plant at Tonopah and making a tour of the district the party continued on to Goldfield. Today they will go to Manhattan and then continue by auto to Bishop Creek. The members were A. B. West, vice-president, from Riverside, Cal., where the headquarters of the company are now established. Commercial Agent Cridwell, C. A. Kelly, traveling auditor, Fred Cate, superintendent of transmission lines, and F. D. Meeking, district manager of Goldfield. Mr. West is well acquainted with the property, as he is a member of the firm of Potter, West & Potter, legal advisers of the company.

INJURED BY FALLING ROCK.

Peter Blood, of the Belmont, was injured yesterday by a slab of rock falling in the 1200 level of that property. He sustained cuts about the head and shoulders.

THE TEMPERATURE.

Highest temperature yesterday, 64; a year ago, 64.
Lowest temperature last night, 50; a year ago, 43.

FOUR GUNMEN ELECTROCUTED
AT SING SING PRISON WITHOUT
OFFERING ANY CONFESSION

(By Associated Press.)
SING SING PRISON, April 13.—Four gunmen convicted of the murder of Herman Rosenthal, the gambler, died in the electric chair at daybreak. None confessed, none mentioned Becker, the convicted police lieutenant, guilty of instigating the murder, but saved by the court of appeals' reversal.

Frank Zidenshneir, "Whitey Lewis," made the only statement, in which he didn't flatly assert his innocence.

"Gentlemen," he mumbled as he was being strapped in the chair, "I didn't shoot at Rosenthal. Those who said so are perjurers. For the sake of justice, I say I didn't. The witness Stanish—" He didn't finish, for the current shot his body against the chair harness.

Zidenshneir was the second to die. Frank Cirofici, "Dago Frank," came first. Harry Horowitz, "Gyp the Blood," was third. Louis Rosenberg, "Lefty Louie," was last. All were despatched in forty minutes.

Rabbi Goldstein said the Jewish boys didn't confess to him Cirofici intended to make a statement, but his mental processes failed. Horowitz and Rosenberg mumbled a prayer in Hebrew. Relatives claimed the bodies.

TWO MEN KILLED RAILROADS TRY
BY AUTOMOBILE TO DISCREDIT
PLUNGING IN CREEK REGULATION
OF RATESRUN INTO WATER AND MEET
SLOW DEATH BY
DROWNING.

(By Associated Press.)
LOS ANGELES, April 13.—Pinned under an overturned automobile in the creek bottom, George Hamu, an ex-banker of Mexico City, and Dudley Harvey-Elder, of Whittier, were drowned yesterday. The bodies were recovered today. They were returning from San Bernardino, when their car plunged into a creek where a bridge had been washed out in the February storm.

BASE BALL
PACIFIC COAST LEAGUE.

STANDING OF THE CLUBS.

| | Won. | Lost. | Pct. |
|---------------|------|-------|------|
| Los Angeles | 7 | 4 | .636 |
| Venice | 7 | 4 | .636 |
| San Francisco | 6 | 4 | .600 |
| Portland | 5 | 4 | .556 |
| Sacramento | 4 | 5 | .444 |
| Oakland | 4 | 6 | .400 |

YESTERDAY'S GAMES.

Morning Games.
At Venice—Venice 2, Los Angeles 1.

At San Francisco—San Francisco 5, Portland 3.
At Sacramento—Sacramento 4, Oakland 2.

Afternoon Games.

At Venice—Venice 4, Los Angeles 1.

At Sacramento—Sacramento 3, Oakland 6.

ONE OF THE DEAD MEN

CONFERRED THE FACTS

(By Associated Press.)
OSSINING, N. Y., April 13.—It is reported that Cirofici confessed before being taken to the death chair that justice had been done. The confession, the report says, is signed, and is on the way to the governor.

MATCH GAME OF HANDBALL

AT THE LOCAL GYMNASIUM

R. J. Highland, of the Southern Nevada Abstract company, and Ed. Erickson, of the Midway, have been matched for a game of handball at the court of the Volunteer Firemen this afternoon, later to buy a turkey dinner for a party of eight.

Fine wood ashes, followed with a rising with cold water, will remove flower pot stains from window sills.

JUDGE PECK DETAINED IN EAST
BOND OF \$25,000 SUBSTITUTED
AND COURT ORDER IS MODIFIED

In the case of the Jim Butler Gold Mining company vs. the West End Consolidated Mining company, the restraining order pendente lite issued by Judge Averill last Monday night in the district court, returnable this morning at 10 o'clock, did not produce any startling sensation or bring out any new developments as expected. After a statement from counsel for the defendants that there would be no objections to the interlocutory injunction, the proceedings were postponed until 2 o'clock this afternoon to enable counsel to agree on a modified form of order governing the rights of both parties pending the filing of answer in thirty days. Defendant was granted thirty days to answer the complaint.

The cash bond of \$10,000 was canceled and a security bond of \$25,000 ordered substituted.

Attorney Curtis Lindley appeared for the first time in the local history of the case, and Frederick Bradshaw, general superintendent of the Jim Butler and Tonopah Belmont Development companies, and Clyde Heller, president of the same companies, also were in court.

Attorney Dickson stated the de-

fendant had no objection to the issuance of an interlocutory injunction, as it was impossible for his associate counsel, Judge Peck, to get away from New York for two weeks and it was desirous of holding a conference in Salt Lake before answering the complaint.

Counsel for plaintiff inquired if thirty days would be sufficient and this was agreed to.

Attorney Ailing, for the defendant, asked that the scope of the interlocutory order be the same as the original restraining order and Judge Lindley thereupon asked to see the order. After a hasty reading he suggested that certain changes in the wording of the decree referring to status quo and inspection of the underground workings of the West End would be necessary and it was agreed between counsel to meet and arrange terms. With this understanding court took a recess until 2 o'clock this afternoon.

The attendance was not large, as it was commonly understood that a hearing on the merits of the case would not begin until after an opportunity had been granted the defense to answer the complaint.

"The stipulations acceptable to both plaintiff and defendant as agreed upon by their attorneys and submitted to the court at 2:30 this afternoon are as follows:

First Stipulation.

"Whereas, an injunction has been issued by the above entitled court by consent of the parties hereto wherein and whereby the defendant has been enjoined pending this action from mining and extracting and removing ore from underneath the surface of the property of plaintiff, within vertical planes defined as follows:

"The east line of the West End claim produced southerly in its own direction indefinitely and a line parallel to it drawn from a point on the southerly side line of the West End claim distant seven hundred (700) feet west of the southeast corner of the West End claim, and a vertical plane drawn through said southerly West End side line for said distance of seven hundred feet.

"It is stipulated and agreed that by consenting to the entry of said order of injunction neither party is to be prejudiced in its claims or rights which may be asserted to any portion of the vein or veins underlying the surface of any part of plaintiff's property other than that specifically described in said order than that specifically described in order of injunction.

"It is further stipulated and agreed

that all ore extracted by the defendant from underneath the property of plaintiff west of the plane drawn southerly from the point on the southerly side line of the West End claim seven hundred feet distant westerly from the southeast corner of said West End claim, shall be sampled in such manner as may be agreed upon between the general manager of the defendant and the general superintendent of the plaintiff.

"Nothing in this stipulation contained shall be construed as a recognition by the defendant that the plaintiff has any right to any ore upon the vein now being mined by defendant underneath any portion of plaintiff's property."

Second Stipulation.

"It is stipulated and agreed between the parties hereto as follows:

"Each party shall have the privilege of entering in and upon the property and workings of the other at all reasonable times, and upon notice, for purpose of inspection, survey, and sampling.

"The party desiring to so enter the works of the other for such purpose shall give three days' notice to the other of their desire to so enter. No more than four men at a time shall so enter, and the party whose workings are to be entered, surveyed, inspected or sampled shall have the privilege of designating a representative to accompany said inspecting, sampling or surveying party.

"Should either party desire any work to be done within or from the workings made or in possession of the other, said first-named party shall give to the other a ten days' notice in writing to that effect, specifying the place at which work is desired to be done, and the extent and nature of such work. Thereupon said work shall be done by the employees of the party in whose possession the workings are, but under the direction of the engineer of the party desiring the work to be performed. The party in whose workings the desired work is to be done shall trim and moist all waste and material extracted in the working, shall supply in the first instance such timbers as may be necessary to support and keep open the workings, and when required to do so shall supply air and provide the pipes necessary to conduct it to the new working. The party so desiring said work to be done shall pay to the party doing the work, upon demand, all costs of every nature in carrying on said working.

"It is understood that all work done under this stipulation shall be done at such times as shall least inconvenience the respective parties in the orderly conduct of their mining operations.

"Service of the notices provided for in this stipulation shall be by delivery to the general manager or general superintendent or in their absence, upon the person for the time being in charge of the mining operation of such respective parties."

The injunction pendente lite restrains the West End from extracting ore or mining in the territory described in the first stipulation on its filing with the clerk of the court for a bond for \$25,000. This was done and order became effective immediately with the United States Fidelity & Guaranty company on the bond.

John Lind Back
From Mexico City

(By Associated Press.)
WASHINGTON, April 13.—John Lind, the president's personal representative in Mexico, has returned. He brought information for the president, and Secretary Bryan, although he said he came for a vacation. They are uncommunicative about conditions.

RENO MAN KILLS
HIMSELF AFTER
WOUNDING WIFETRIES TO EFFECT A RECONCILIATION
AND THEN ATTEMPTS
MURDER.

RENO, April 13.—After battling for life with a bullet in his brain, Frank Avansino, who shot himself, succumbed to his injuries at midnight.

Angered over the failure of his attempts to effect a reconciliation with his divorced wife, Frank Avansino, former proprietor of the Virginia hotel, last night shot Mrs. Jennie Yori, from whom he was divorced, and then turned the weapon on himself, inflicting a wound that will prove fatal. Mrs. Yori will recover.

The tragedy occurred in the Virginia hotel at 7 o'clock and both victims were removed to local hospitals. The wound sustained by the woman was at the base of the left ear, the leaden missile lodging in the mastoid process, from which it was removed. Avansino shot himself in the right ear, the bullet lodging in the center of the brain.

The couple were divorced a year ago, and frequent attempts toward effecting a reconciliation were made by Avansino. Upon the refusal of his former wife to return, he made threats to take her life and also to end his own existence, according to statements made by parties acquainted with the affairs of the two. For some time Avansino desired an interview with Mrs. Yori, but on each occasion she managed to evade him, fearing that trouble would result.

SPECIAL TRAIN FOR
THE GOLDFIELD CONTEST

A special train will leave Tonopah Tuesday night at 6:15 for the boxing contest in Goldfield and returning will leave Goldfield at 1 a. m. Passengers wishing to stop over may return on the regular train Wednesday morning. The fare is \$2 for the round trip.

RAY HARRIS MAKES
THREE-BAGGER SATURDAY

Ray Harris, of Tonopah, made a three-bagger Saturday in a preliminary game at Stockton in the fifth inning, indicating he is getting into batting trim.

Since the establishment of the first electric railway up Mount Blanc ascents of the mountain have trebled.

SHOWER OF ROCK
INJURES EMPLOYEE
OF THE RESCUEBURST HOSE LACERATES A
DRILLER'S FACE AND CHEST
RATHER SERIOUSLY.

Frank Averill, of the Rescue Eula, is going around this morning with a badly battered face and torso caused by a hose feeding an air drill bursting when the men began work yesterday morning. No one knows exactly how it happened but the hose was filled with small pebbles and sand, but the result was almost fatal. The moment air was turned on the hose was torn asunder and the contents discharged in the face and body of Averill. The left side of the face was fearfully torn and the upper part of the body on the same side was lacerated in a way that caused most excruciating agony. Averill was attended at the Mine Operators' hospital and was able to be out and around, although his face was covered with bandages.

FEDERALS RETAKE
SAN PEDRO AFTER
HARD FIGHTINGVILLA WITH REINFORCEMENTS
AGAIN ASSAULTS STRONG-
HOLD.

(By Associated Press.)

TORREON, April 13.—Heavy fighting is reported from San Pedro, the federals having retaken the town previously. Villa with reinforcements attacked the town yesterday, and a fierce battle ensued. A trainload of rebel wounded, and 300 federal prisoners has arrived. News dispatches are curtailed by a censor.

Copper Strike in
Michigan Is Off

(By Associated Press.)
HANCOCK, Mich., April 13.—Copper mine workers on strike since July last voted to call off the strike, was the announcement of the district secretary of the Western Federation of Miners.